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**Filed** : **July 30, 2003**

## **REMARKS**

Applicant would initially like to thank the Examiner for courtesies extended to Applicant's representative at an interview held on April 6, 2005, summarized above.

The foregoing amendments and the following remarks are responsive to the November 3, 2004 Office Action for the above identified patent application. In the November 3, 2004 Office Action, the Examiner allowed Claims 7 and 18 and indicated that Claims 6, 9, 10, and 19 would be allowable if rewritten in independent form including all of the limitations of the base claim. The Examiner rejected Claims 1-5, 8, 11-16, 20, and 21 under 35 U.S.C. § 102(b) and Claim 17 under 35 U.S.C. § 103(a).

Claims 1-21 were pending in this application. Claims 1, 6, 9, 11, and 19 are amended herein as discussed above. No new claims are added herein. Accordingly, Claims 1-21 remain pending for reconsideration.

### **Allowable Subject Matter**

As discussed above, the Examiner allowed Claims 7 and 18 in the Office Action.

The Examiner objected to Claims 6, 9, 10, and 19 as being dependent upon a rejected base claim but has acknowledged that Claims 6, 9, and 10 would be allowable if rewritten in independent form including all of the limitations of base Claim 1 and that Claim 19 would be allowable if rewritten in independent form including all of the limitations of base Claim 17. Claims 6, 9, and 19 are rewritten herein as suggested by the Examiner. Therefore, amended Claims 6, 9, and 19 are in condition for allowance. Claim 10 depends from Claim 9 and thus is in condition for allowance without being rewritten. Applicant respectfully requests the Examiner to withdraw the objection to Claims 6, 9, 10, and 19.

### **Correction of Informalities in the Drawings and Specification**

In the Office Action mailed May 13, 2004, the Examiner objected to the drawings, informalities in Claims 11, 12, and 19, to various informalities found in the specification. These objections were addressed in Applicant's *Response to Office Action Mailed 13, 2004*. These objections are not maintained in the current office action. Thus, it appears that Applicant's prior response fully addressed the objections. Applicant respectfully requests the Examiner to indicate that the drawings are acceptable in the next communication.

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**Rejection of Claims 1-5, 8, 11-16, and 21 Under 35 U.S.C. § 102 Based on Isgrig**

The Examiner rejects Claims 1-5, 11-16, and 21 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 688,230 to Isgrig et al. (Isgrig). Applicant has amended Claims 1 and 11 to expedite allowance of this application by more clearly distinguishing Isgrig. Applicant respectfully requests the Examiner to reconsider Claims 1-5, 11-16, and 21.

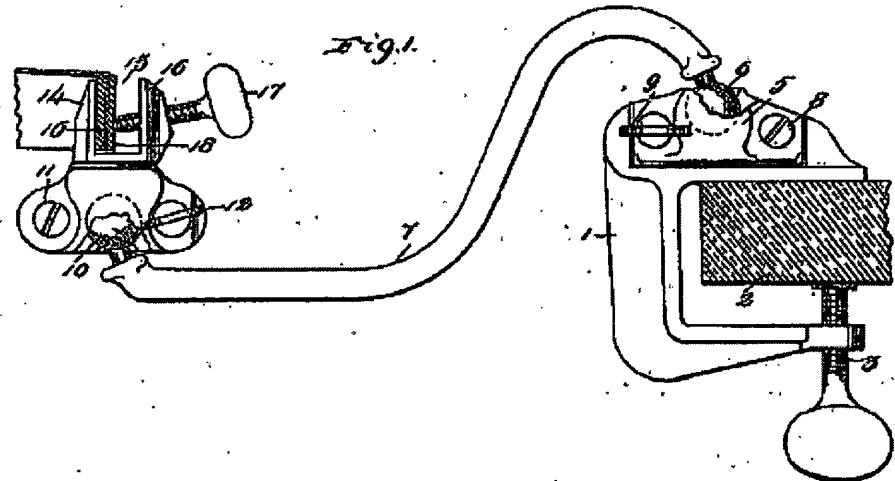
***The Present Application***

This application is directed to a flex grip fixture clamp that can be used to couple photographic equipment, such as a scrim, to a support member in a manner that allows the scrim to be positioned in a flexible manner. In one embodiment, the flex grip fixture clamp has a progressive support clamp, a biscuit clamp, and a ball joint. The progressive support clamp has a support member channel, a semispherical recess, and a handle. The support member channel is configured to receive a support member. The biscuit clamp has an accessory member channel configured to receive a component of an accessory. The ball joint has a ball that contacts the semispherical recess. The ball joint interconnects the progressive support clamp and the biscuit clamp. The progressive support clamp can be actuated from an open position to a support member clamp position, which is an intermediate clamp position. The support member clamp position precludes movement of the fixture clamp with respect to the support member clamp and allows rotation of the ball. The progressive support clamp can be further actuated to a full clamp position. The position of the ball is fixed in the full clamp position. The flex grip fixture clamp greatly simplifies positioning of the biscuit clamp and an attached accessory. For example, the positioning can be achieved by manipulating a single handle rather than requiring manipulation of a multiplicity of knobs.

***Isgrig***

Isgrig is directed to an adjustable holder for embroidery hoops, illustrated in Figure 1. The holder includes a clamp 1 that includes a binding screw 3. The clamp 1 is adapted to receive a table edge 2. The screw 3 is adapted to be brought into contact with the table edge 2 to rigidly hold the clamp 1.

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The clamp 1 also includes an adjustable socket 4 formed in part by a plate 5. A first end of a supporting arm 7 is mounted in the socket 4 and a second end of the arm is coupled with a clamp for an embroidery hoop 15. A thumbscrew 9 adjustably secures the plate 5 relative to the rest of the clamp 1. Accordingly, Isgrig teaches *two screws* to clamp the table edge and the arm 7. Isgrig does not teach or suggest the use of a single handle to attach the clamp 1 to the table 2 and to secure the arm 7.

#### ***Claims 1-5***

In contrast to Isgrig, Claim 1 of the present application recites a flex grip fixture clamp comprising:

a progressive support clamp comprising:

a support member channel configured to receive a support member;

a semispherical recess; and

*a handle;*

a biscuit clamp comprising an accessory member channel configured to receive a component of an accessory; and

a ball joint comprising a ball selectively engageable with the semispherical recess, the ball joint interconnecting the progressive support clamp and the biscuit clamp,

wherein the progressive support clamp is actuatable *via the handle* from an open position to a support member clamp position, the support member clamp position precluding movement of the fixture clamp with respect to the support member and allowing rotation of the ball, and wherein the progressive support clamp is further actuatable *via the handle* to a full clamp position, the full clamp position fixing the position of the ball.

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Isgrig does not teach or suggest all of the limitations of Claim 1 as amended. Thus, Applicant respectfully submits that Claim 1 is patentably distinguished over Isgrig, and Applicant requests allowance of Claim 1.

Claims 2-5 depend from Claim 1 and further define the invention defined in Claim 1. For at least the reasons set forth above with respect to Claim 1 and in view of the additional limitations defined in each of the claims, Applicant respectfully submits that Claims 2-5 are patentably distinguished over Isgrig. Applicant respectfully requests allowance of Claims 2-5.

### ***Claims 11-16***

Claim 11 of the present application recites a method for positioning an accessory comprising:

providing a flex grip fixture clamp comprising a progressive support clamp, *a handle*, an accessory clamp, and a ball joint that interconnects the progressive support clamp and the accessory clamp, the ball joint comprising a ball that is at least partially received by the progressive support clamp and a link member that extends to and is coupled with the accessory clamp;

coupling an accessory with the accessory clamp;

actuating the flex grip fixture clamp to an open position to enable the progressive support clamp to be coupled with a support member;

actuating *the handle* to actuate the flex grip fixture clamp to a support member clamp position, to clamp the support member without clamping the ball joint; and

actuating *the handle* to actuate the flex grip fixture clamp to a full clamp position, wherein the support member clamps the ball joint so that the position of the ball is fixed.

Isgrig does not teach or suggest all the limitations of Claim 11 set forth above. Therefore, for at least this reason, Applicant respectfully submits that Claim 11 is patentably distinguished over Isgrig, and Applicant respectfully requests allowance of Claim 11.

Claims 12-16 depend from Claim 11 and further define the invention defined in Claim 11. For at least the reasons set forth above with respect to Claim 11 and in view of the additional limitations defined in each of the claims, Applicant respectfully submits that Claims 12-16 are patentably distinguished over Isgrig. Therefore, Applicant respectfully requests allowance of Claims 12-16.

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***Claim 21***

In contrast to Isgrig, Claim 21 of the present application recites a flex grip fixture clamp comprising:

a progressive clamp comprising:

    a support member channel configured to receive a support member;

    a semispherical recess; and

    a handle having at least an open position, a support member clamp position and a full clamp position;

    a biscuit clamp comprising an accessory member channel configured to receive a component of an accessory; and

    a ball joint comprising a ball selectively engageable with the semispherical recess, the ball joint interconnecting the progressive clamp and the biscuit clamp, the progressive clamp responsive to the handle being in the open position to enable movement of the progressive clamp with respect to the support member and to enable movement of the ball with respect to the progressive clamp, the progressive clamp responsive to the handle being in the support member clamp position to inhibit movement of the progressive clamp with respect to the support member and to enable movement of the ball with respect to the progressive clamp, and the progressive clamp responsive to the handle being in the full clamp position to inhibit movement of the progressive clamp with respect to the support member and to inhibit movement of the ball with respect to the progressive clamp.

Applicant respectfully submits that Isgrig does not teach or suggest all the limitations of Claim 21, e.g., the three handle positions defined in Claim 21. Therefore, for at least this reason, Applicant respectfully submits that Claim 21 is patentably distinguished over Isgrig, and Applicant respectfully requests allowance of Claim 21.

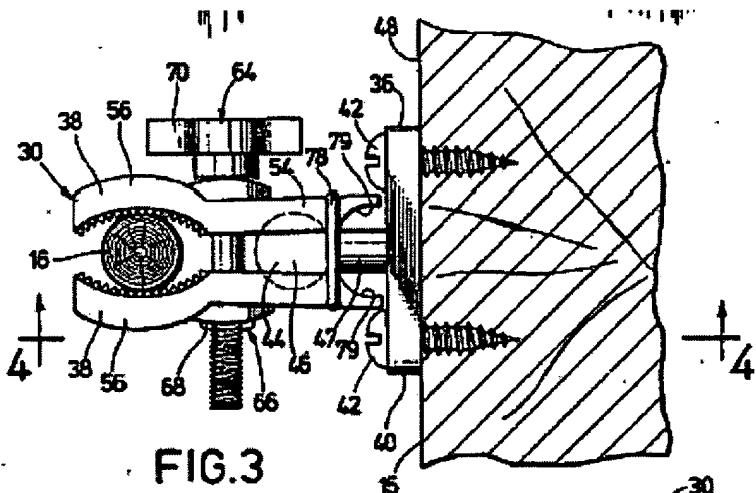
**Rejection of Claim 20 Under 35 U.S.C. § 102 Based on Crisp**

The Examiner rejects Claim 20 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,037,052 to Crisp et al. (Crisp). Applicant disagrees with the Examiner's characterization of Crisp and the conclusion that Claim 20 is anticipated thereby. Applicant respectfully requests the Examiner to withdraw the rejections of Claim 20 at least for the reasons set forth below.

*Crisp*

Crisp is directed to a clamp assembly system and includes two embodiments (Figures 16 and Figures 7-8). Crisp's two embodiments are similar in relevant part (See Column 5, lines 2-4) and thus the second embodiment will not be separately discussed.

The Crisp system includes a clamping assembly 30, shown in Figure 3 below, that includes a base 36 for attachment of the assembly to a tree stand 15 and a pair of grip elements 38, 38 for clamping a limb 16 to the base 36. The base 36 includes a knob 44 that extends from a side surface of a shoulder portion 40. The knob 44 includes a ball 46 and a neck 47 joining the shoulder portion 40 and the ball 46. The grip elements 38 include a ball-engaging portion 54 and a jaw portion 56 that extend from the ball-engaging portion 54.



The clamp assembly 30 includes a wing-nut arrangement 66 for moving the grip elements 38 toward one another so that the grip elements 38 are tightenable about the ball 46 and a branch 22. However, Crisp does not teach or suggest an arrangement that grips the branch 22 while permitting the ball 46 to move relative to the ball-engaging portion 54. In the Crisp arrangement, with the ball-engaging portions 54 positioned on opposite sides of the ball 46 and the jaw portions 56 positioned on opposite sides of the limb 16, the ball-engaging portions 54 and jaw portions 56 are tightenable by means of the wing nut arrangement 66 about the ball 46 and limb 16 to clamp the limb 22 to the assembly base 36. Crisp does not describe or suggest gripping only a limb while permitting a ball to move.

Furthermore, Crisp teaches away from such an arrangement by providing an elastomeric band 78 positioned in a groove 76 that extends around one side of the ball engaging portion 54.

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The band 78 tightly encircles the ends of the ball-engaging portion 54, thereby elastically urging the encircled ends toward one another so that the jaw portions 56, 56 are biased away from one another with the ball 46 acting as a fulcrum. Thus, as the wing-nut arrangement is loosened, the branch 22 will be released *first* while the band 78 continues to induce a frictional force at the interface between the ball 46 and the ball-engaging portion 54.

***Claim 20***

In contrast to Crisp, Claim 20 of the present application recites a flex grip fixture clamp comprising:

a progressive clamp comprising:

a support member channel configured to receive a support member;

a semispherical recess; and

a handle having at least an open position, a support member clamp position and a full clamp position;

a biscuit clamp comprising an accessory member channel configured to receive a component of an accessory; and

a ball joint comprising a ball selectively engageable with the semispherical recess, the ball joint interconnecting the progressive clamp and the biscuit clamp, the progressive clamp responsive to the handle being in the open position to enable movement of the progressive clamp with respect to the support member and to enable movement of the ball with respect to the progressive clamp, the progressive clamp responsive to the handle being in the support member clamp position to inhibit movement of the progressive clamp with respect to the support member and to enable movement of the ball with respect to the progressive clamp, and the progressive clamp responsive to the handle being in the full clamp position to inhibit movement of the progressive clamp with respect to the support member and to inhibit movement of the ball with respect to the progressive clamp.

Crisp does not teach or suggest, among other limitations, the three progressive clamp positions defined in Claim 20. Therefore, for at least this reason, Applicant respectfully submits that Claim 20 is patentably distinguished over Crisp, and Applicant respectfully requests allowance of Claim 20.

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**Rejection of Claim 17 Under 35 U.S.C. § 103(a) Based on Crisp, Hartman, and Ito**

The Examiner rejects Claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Crisp in view of U.S. Patent No. 600,642 to Hartman and further in view of U.S. Patent No. 4,577,989 to Ito. The Examiner states that Hartman teaches a biscuit clamp with a plurality of channels, which is a feature not taught or suggested by Crisp. The Examiner also states that Ito teaches a ball joint with a ring bearing, which is another feature not taught or suggested by Crisp.

Applicant respectfully traverses this rejection. Applicant notes that neither Ito nor Hartman teach or suggest three clamp positions, as discussed above. In particular, the combination of Crisp, Ito, and Hartman does not teach a progressive support clamp that is “actuatable from an open position to a support member clamp position, the support member clamp position clamping a support member in the support member channel without clamping [a] ball, and wherein the progressive support clamp is further actuatable to a full clamp position, the full clamp position clamping the support member in the support member channel and also clamping the ball to fix the position of the ball.” Applicant respectfully submits, for at least this reason, that Claim 17 is patentably distinguished over the combination of Crisp, Hartman, and Ito, and Applicant respectfully requests allowance of Claim 17.

**CONCLUSION**

For the foregoing reasons, Applicant respectfully submits that the present application is in condition for allowance, and Applicant respectfully requests that a Notice of Allowance be issued at the earliest opportunity.

Respectfully submitted,

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